

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ELGIN A. MELSON, JR., )  
 )  
 Plaintiff, )  
 )  
 )  
 v. ) 1:18CV596  
 )  
 )  
 NORTH CAROLINA, )  
 )  
 )  
 Defendant(s). )

## ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on October 25, 2018, was served on the parties in this action. (ECF Nos. 2, 3.) No objections were filed within the time prescribed by §636.

The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is filed and DISMISSED *sua sponte* without prejudice to Plaintiff filing a new Complaint, on the proper forms, and in the proper court or district. A Judgment dismissing this action will be entered contemporaneously with this Order.

This, the 21<sup>st</sup> day of November 2018.

/s/ Loretta C. Biggs  
United States District Judge